

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID BARRERAS,

Plaintiff,

v.

F. ROBERT SALERNO and
DAVID E. PURINTON,

Defendants.

ORDER

09-cv-112-bbc

This is a civil action for injunctive and monetary relief in which plaintiff David Barreras, who is proceeding pro se, alleges that defendants engaged in unlawful debt collection practices against him for damages to a rental car. Plaintiff has paid the \$350 fee for filing this action.

The next step is for plaintiff to serve his complaint on the defendants. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendants well before the deadline for doing so established in Rule 4.

To help plaintiff understand the procedure for serving a complaint on an individual, I am enclosing with this memorandum a copy of document titled "Procedure for Serving a Complaint on Individuals in a Federal Lawsuit." In addition, I am enclosing to plaintiff the extra copies of his complaint and forms he will need to send to the defendants in accordance with the procedures set out in Option 1 of the memorandum.

ORDER

IT IS ORDERED that plaintiff promptly serve his complaint on the defendants and file proof of service of his complaint as soon as service has been accomplished. If, by May 4, 2009, plaintiff fails to submit proof of service of his complaint on the defendants or explain his inability to do so, I will direct plaintiff to show cause why his case should not be dismissed for lack of prosecution.

Entered this 3rd day of March, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge